

### **REMARKS**

Claims 1-42 are pending in this application. In this Response, Applicant has highlighted several differences between the present invention and the references cited by the Examiner. In light of these differences, Applicant respectfully requests reconsideration and allowance of the pending claims.

### **THE REJECTIONS UNDER 35 U.S.C. §103**

At pages 3-15 of the Office Action, the Examiner rejected claims 1-42 under 35 U.S.C. §103 as being obvious in view of U.S. Patent No. 6,581,052 to Slutz (“Slutz”) in view of U.S. Patent Publication No. 2003/0088546 to Brown *et al.* (“Brown”). For the reasons set forth below, Applicant submits that the Examiner’s rejections are traversed.

Slutz discloses a test generator for database management systems. The test generator produces a set of database query-language statements comprised of randomly chosen elements for testing a database management system on arbitrary databases. *See* Abstract. The test is implemented by reading configuration data containing a set of test parameters, reading the schema of an arbitrary database, and then constructing a number of test statements. *See* Col. 2, lines 52-55. The test statements are required to be syntactically correct for the DBMS being tested, semantically compatible with the target database, and have content and characteristics pursuant to the configuration data. *See* Col. 2, lines 55-59. The database management system being tested executes the statements and returns result data. *See* Col. 2, lines 59-60. This allows execution errors to be detected. *See* Col. 2, lines 60-61. Moreover, error-producing statements can be converted into greatly simplified statements that provoke the same error in order to facilitate fault isolation. *See* Col. 2, lines 60-64.

The Examiner’s §103 rejection was also based on Brown. Brown teaches a method and apparatus for collecting and presenting demographics information in a database system. *See* Abstract. The method involves receiving a selection of an item in a graphical user interface screen. *See* Para. 0005. In response to the selection of the item, demographics information is displayed in graphical format. The demographics information includes disk space utilization, row count and average row size of the table, statistics information of a column in the table, and block distribution of a table across multiple access modules of the database system. *See* Abstract.

In contrast, the present invention relates to the automatic capture of data from a database query, and the addition of information to allow for trend analysis. *See* Page 1, lines 2-3. In one embodiment, the method of the present invention includes receiving a query for data from a database application. *See* Claim 1. The received query may be issued to a database management system. *Id.* A response to the query that indicates a result data set is subsequently received from the database management system. *Id.* Then, a database table that is suitable for trend analysis is automatically created or updated. *Id.* The database table is arranged so that subsequent executions of the same query will cause the database table to be updated with the addition of a current retrieved result dataset. *Id.* In this manner, multiple executions of the same database query cause the database table to contain multiple retrieved result datasets upon which trend analysis is to be performed. *Id.* The database table may then be populated or updated with data from the result dataset. *Id.*

In the Office Action, the Examiner states that Slutz teaches every element of the present invention, as currently claimed, except for trend analysis. To compensate for this deficiency, the Examiner cites Brown, which allegedly discloses trend analysis. However, as set forth in detail below, Applicant submits that Slutz and Brown do not teach the present invention, either alone or in combination.

At page 3 of the Office Action, the Examiner states that Slutz teaches a system that includes receiving a query for data from a database application. This contention, however, is at odds with the stated purpose of the invention, *i.e.*, the invention disclosed by Slutz *generates* test queries. Thus, Slutz does not teach or suggest receiving queries for data from a database application. Instead, the purpose of Slutz is to generate its own test queries that can be used to test a database management system.

In addition, the Examiner states that Slutz automatically creates or updates a database table that is suitable for analysis. *See* Office Action at Page 4. To support this belief, the Examiner cites column 5, lines 7-13, stating that Slutz teaches performing various functions other than querying data in a table. However, this assertion is not supported by the disclosure of Slutz. In contrast, Slutz discloses the ability to check the correctness of a database management system's implementation of a query language by which it interfaces between databases and users of the databases. *See* Col. 5, lines 4-7. In the context of elaborating on the importance of testing the implementation of a query language, Slutz describes the various uses of a query, but does not

teach or suggest that the test generator disclosed therein performs any of those functions. Thus, applicant submits that Slutz does not teach or suggest automatically creating or updating a database table that is suitable for analysis.

The Examiner also rejects claims 1-42 by stating that Slutz discloses that the database table is arranged so that subsequent execution of the same query will cause the database table to be updated with the addition of a current retrieved dataset. The portion of Slutz cited by the Examiner does not mention or suggest this function, or anything remotely equivalent. *See* Col. 5, lines 31-41. Rather, the cited material discloses the ability of the test generator to choose different databases and database management systems for testing. Likewise, the Examiner cites column 5, lines 45-53 of Slutz, stating that it discloses that multiple executions of the same database query cause the database table to contain multiple retrieved result datasets upon which analysis is to be performed. However, the cited portion of Slutz is limited to a disclosure of the contents of the schemata of data tables. Therefore, Slutz does not teach or suggest multiple retrieved result datasets being stored in the database table. As such, the Examiner's rejections have no basis.

As mentioned above, the Examiner concedes that Slutz does not teach trend analysis. The Examiner believes that it would have been obvious to combine the teachings of Slutz and Brown. In support of this combination, the Examiner cites portion of Brown, including figures 4-5, 7-9, and 11, as well as paragraphs 0019, 0050-0051, and 0059-0060 of the written description. The cited material, however, merely discloses a graphical user interface that allows various graphical representations of data. Based on this disclosure, the Examiner asserts that Brown discloses the trend analysis disclosed by the present invention. This curious contention is unsupported by both the disclosure of Brown, which does not disclose trend analysis, and the knowledge of those skilled in the art. Disclosure of a graphical user interface and graphical displays is clearly not synonymous, or in any way related, to the trend analysis recited in the claims of the present invention.

Additionally, Applicant submits that it would not have been obvious to combine the teachings of Brown and Slutz because a *test system* disclosed by Slutz would not be used in any given database for a prolonged period of time, eliminating any prospect of its use for trend analysis. Moreover, even if, *arguendo*, Brown does disclose trend analysis, Applicant submits that one of ordinary skill in the art would not have been motivated to combine the teachings of

Brown and Slutz without using the present invention as a template, which, of course, is a classic case of impermissible hindsight. And, even if it was obvious to combine the teachings of Brown and Slutz, *arguendo*, their combination does not result in the teachings of the present invention, at least for the reasons highlighted above.

In view of these differences, Applicant submits that the Examiner's rejection of independent claims 1, 11, 17, 22, 28, and 33 under 35 U.S.C. §103 is traversed. Applicant further submits that dependent claims 2-10, 12-26, 18-21, 23-27, 29-32, and 34-42 are in condition for allowance, at least by virtue of their dependency on independent claims 1, 11, 17, 22, 28, and 33, but also for additional novel features recited therein. Reconsideration and allowance of the pending claims is respectfully requested.

### **CONCLUSION**

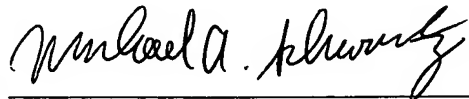
All claims are believed to be in condition for allowance. If the Examiner believes that the present remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicant invites the Examiner to contact the undersigned attorney to discuss any remaining issues.

A Petition for a two-month Extension of Time is submitted herewith, extending the time to respond to and including February 22, 2006. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Swidler Berlin LLP Deposit Account No. 195127, Order No. 19111.0063.

Respectfully submitted,  
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Dated: January 27, 2006

By: \_\_\_\_\_



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